

**REMARKS**

The claims have not been amended.

**Claim 14**

Claim 14 is the same as originally filed claim 4, but depends from claim 3 instead of claim 2. Since the claims as originally filed include the matter, claim 14 does not include new matter.

**Claim 15**

Claim 15 includes (letters added for ease of reference):

- A a file system embodied in a computer-readable medium;
- B a file system overlay embodied in a computer-readable medium, wherein the file system overlay is associated with the file system and, in operation, a locally executing target program;
- C a file system manager embodied in a computer-readable medium, wherein the file system manager is associated with the file system;
- D a file system hook module embodied in a computer-readable medium, wherein, in operation, the file system hook module utilizes a hook to intercept from the file system manager file system calls associated with the target program, and accesses file and directory structure in the file system overlay associated with the locally executing target program, wherein a first subset of file data identified in the file and directory structure are locally available;
- E a remote server terminal configured to provide data to the file system hook module, wherein, in operation, the file system hook module receives a portion of a

second subset of file data identified in the directory structure from the remote server terminal.

Claim 1 as originally filed implicitly includes a file system because it includes a file system hook, a file system manager, a file system driver, and file system overlay. Therefore, A of claim 15 does not include new matter.

Claim 1 as originally filed explicitly includes a file system overlay. Therefore, B of claim 15 does not include new matter.

Claim 1 as originally filed explicitly includes a file system manager. Therefore, C of claim 15 does not include new matter.

Claim 1 as originally filed explicitly includes a file system hook. D includes the language "the file system hook module utilizes a hook to intercept from the file system manager file system calls associated with the target program." This is described at page 6, lines 3-13, of the specification.

D also includes the language "[the hook] accesses file and directory structure in the file system overlay associated with the locally executing target program, wherein a first subset of file data identified in the file and directory structure are locally available." This is described at page 6, lines 14-24, of the specification. Specifically, "the token file 107... contains the file system paths and files (the overlay, which is essentially a private file system, since the file system hook 202 will only allow the target program 104b to see them) through which files/chunks of the target program can be retrieved 112."

Claim 6, which is dependent from claim 1, as originally filed explicitly includes a server terminal, which may be remote. As described in the specification page 5, line 23 to page 6, line 2, a token file (including data) is provided to the client machine, and the hook module, as described above, uses data in the token file. Therefore, E of claim 15 does not include new matter.

Claims 16-22, which depend from Claim 15

Claims 16-18 are described in the specification at page 4, line 8 to page 5, line 22. Claims 19-22 are described in the specification at page 6, lines 3-13.

CONCLUSION

In view of the foregoing, Applicant submits that the claims pending in the application patentably define over the prior art. The Applicant respectfully requests the Examiner withdraw rejections of all claims. A Notice of Allowance is respectfully requested.

If in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is encouraged to call the undersigned at (650) 838-4305.

Respectfully submitted,

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